

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAC-WEST DISTRIB. NV LLC,	:	
<i>Plaintiff</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
AFAB INDUS. SERV., INC, <i>et al.</i>,	:	No. 19-3584
<i>Defendants</i>	:	

ORDER

AND NOW, this 4th day of August, 2020, upon consideration of Defendants' Motion to Dismiss Plaintiff's First Amended Complaint and Motion to Consolidate and accompanying Memorandum in Support (Doc. Nos. 14, 19), the Response in Opposition (Doc. No. 22), the Reply in Support (Doc. No. 23), the Surreply in Opposition (Doc. No. 26), and oral argument held on March 6, 2020, it is **ORDERED** that the Motion (Doc. No. 14) is **DENIED** for the reasons set forth in the accompanying Memorandum. If they intend to do so, Defendants shall file a motion to dismiss focused exclusively on meeting its burden for establishing the allegedly preclusive effect of the settlement agreement between the parties or its Answer within 21 days of the date of this Order.

BY THE COURT:

s/Gene E.K. Pratter

GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE